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12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

15

16 UNITED STATES OF AMERICA,   )   No. CR 10-0110 WHA
)
17   Plaintiff,   )   STIPULATION AND [PROPOSED] ORDER
)   EXCLUDING TIME UNDER 18 U.S.C. § 3161
18   v.   )
)
19 MISAEL GONZALEZ-CARDENAS,   )
   a/k/a   )
20 JOSE MISAEL CARDENAS-GONZALEZ   )
)
21   Defendant.   )
)

22

23

24   On March 2, 2010, the parties in this case appeared before the Court for an initial

25 appearance. The parties requested, and the Court agreed, to continue the matter for status on

26 April 6, 2010. The parties requested and the Court ordered that the time be excluded under the

27 speedy trial act, 18 U.S.C. § 3161(h)(7)(B)(iv), for effective preparation of counsel.

28 //

1   The parties also agreed that the ends of justice served by granting such a continuance

2   outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §

3   3161(h)(7)(A).

4   SO STIPULATED:

5
                                         JOSEPH P. RUSSONIELLO
6   United States Attorney

7

8   DATED: March 18, 2010   _____/s/_____
                                         BENJAMIN P. TOLKOFF
9   Assistant United States Attorney

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11   DATED: March 18, 2010   _____/s/_____
                                         LOREN STEWART
12   Attorney for MISAEL GONZALEZ-CARDENAS
                                         a/k/a JOSE MISAEL CARDENAS-GONZALEZ
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14
         For the reasons stated above, the Court finds that exclusion of the time between March 2,
15
     2010, and April 6, 2010, is warranted and that the ends of justice served by the continuance
16
     outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
17
     (h)(7)(A). The failure to grant the requested continuance would deny the defendant effective
18
     preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §§
19
     3161(h)(7)(B)(iv).
20

21

22   SO ORDERED.

23
             March 22, 2010.
24   DATED:_____   _____
                                         HONORABLE WILLIAM H. ALSUP
25   United States District Judge

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28

IT IS SO ORDERED

Judge William Alsup

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA